

Remarks

Claims 1-42 were pending prior to the present amendments. Claims 2 and 31-32 are canceled. Claims 1, 5, 17-18, 30, 35-36 and 39 are amended to more particularly point out and distinctly claim Applicants' invention.

The Examiner objected to Claim 9. The Examiner states:

Claim 9 recites the phrase "user request comprises a carrier availability report", is the user request comprises a "request for a" carrier availability report? IF not, it is unclear what the request is for.

Applicants respectfully submit that Applicants' specification, at pages 8-9, clearly provides that the user request is for placing a "bid," also known as a "carrier entry" (e.g., page 8, lines 28-30). At page 9, lines 5-6, Applicants disclose that the request includes an availability report.

The Examiner rejected Claims 5, 17-18 and 30-42 under 35 U.S.C. § 112, second paragraph, as being indefinite. As amended, Claims 5, 17-18 and 30-42 the indefiniteness are believed corrected.

The Examiner rejected Claims 1-3, 4, 6-19, 26-28, 30-33, 35 and 37-39 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,835,716 ("Hunt").

Applicants respectfully traverse the Examiner's rejection. As amended, independent Claims 1 and 30 each recite partner databases that can be accessed for demand specifications or carrier availability information:

1. An information exchange system comprising:
a database coupled to a communication network, said database storing a demand entry comprising shipping demand

specifications and a carrier entry comprising carrier availability information, wherein said demand entry and said carrier entry arrive through said communication network;

a logic unit coupled to said database, said logic unit receiving a user request and at least one of said demand entry and said carrier entry through said communication network and formulating a response to said user request; and

a link to a partner system comprising a partner database, wherein said partner database contains entries comprising at least one of demand specifications and carrier availability information.

* * *

30. (Currently amended) A method comprising:

receiving a request from a user;

receiving either a demand entry or a carrier entry from said user, said demand entry comprising shipping demand specifications and said carrier entry comprising carrier availability information;

storing said received demand entry or said received carrier entry in a database having a plurality of demand entries or carrier entries;

using said demand or carrier entries in said database to formulate a response to said request; and

accessing a partner database and transferring data from said partner database to said database, said partner database comprises at least one of shipping demand specification and carrier availability information.

As explained in Applicants' Specification, beginning at page 4, line 29 to page 5, line 6, linking an information exchange system of the present invention with such partner databases allows users of the information exchange system more content to improve efficiency in shipping arrangements. Contrary to the Examiner's contention, Hunt neither discloses nor suggests such partner databases. Hunt's column 4, lines 45-62, on which the Examiner based his rejection merely discloses an input/output point:

Subsystem 9 represents an input/output point at a carrier or shipper site that is porting data to centralized database 50 which can be administered by the carrier, shipper, or a third party. Subsystem 9 further comprises: microprocessor 30 for processing data entered by the system operator; microprocessor 30 is operatively connected to monitor 32 where the system operator can view entries made to the system, view matches available, or receive notification of a match; keyboard 34, which is used to make data entries to the system, is connected to microprocessor 30 by interface cable 38; modem 36, which can transmit or receive data entries or records to or from database 50, is connected to microprocessor 30 by interface cable 40; and, modem 36 which is further connected to database 50 by interface cable 42.

Thus, Applicants respectfully submit that Claims 1 and 30, and their respective dependent Claims 3-4, 6-19, 26-28, 33, 35 and 37-39, are each allowable over Hunt. Reconsideration and allowance of Claims 1, 3-4, 6-19, 26-28, 30, 33, 35 and 37-39 are therefore requested.

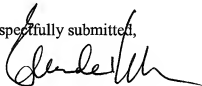
The Examiner rejected Claims 5 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Hunt. Applicants respectfully traverse the Examiner's rejection. As Claims 5 and 34 each depend from Claims 1 and 30, respectively, Claims 5 and 34 are each allowable over Hunt for the reasons already stated above. Accordingly, reconsideration and allowance of Claims 5 and 34 are therefore requested.

The Examiner rejected Claims 20-25, 29, 36 and 40-42 under 35 U.S.C. § 103(a) as being unpatentable over Hunt, in view of U.S. Patent Application Publication 2003/0036935 ("Nel"). The Examiner cites Nel for teaching a fleet monitoring system. Applicants respectfully traverse the Examiner's rejection. Like Hunt, Nel neither discloses or suggests partner databases. As Claims 20-25, 29, 36 and 40-42 each depend from Claims 1 and 30, respectively, Claims 20-25, 29, 36 and 40-42 are each allowable over Hunt, in view of Nel,

for the reasons already stated above. Accordingly, reconsideration and allowance of these claims are therefore requested.

All claims (i.e., Claims 1, 3-30 and 33-42) are therefore believed allowable. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicants at 408-392-9250.

Respectfully submitted,



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